



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Ordinance No. 1596 Entitled, "An Ordinance of the City Council of the City of Lodi Amending Chapter 9.08 of the Lodi Municipal Code by Adding a New Section Thereto Relating to Advertising Matter Distribution - Delivery Methods"

MEETING DATE: August 3, 1994

PREPARED BY: City Clerk

RECOMMENDED ACTION: Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1596.

BACKGROUND INFORMATION: Ordinance No. 1596 entitled, "An Ordinance of the City Council of the City of Lodi Amending Chapter 9.08 of the Lodi Municipal Code by Adding a New Section Thereto Relating to Advertising Matter Distribution - Delivery Methods" was introduced at the regular City Council meeting of July 20, 1994.

Pursuant to State statute, ordinances may be adopted five days after their introductions following reading by title.

This Ordinance has been approved as to form by the City Attorney.

FUNDING: None required.


Jennifer M. Perrin
City Clerk

JMP

Attachment

APPROVED _____

THOMAS A. PETERSON
City Manager



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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING CHAPTER 9.08 OF THE LODI MUNICIPAL CODE
BY ADDING A NEW SECTION THERETO RELATING TO
ADVERTISING MATTER DISTRIBUTION - DELIVERY METHODS

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Chapter 9.08 - Offenses Against Property - is hereby amended by adding thereto a new Section 9.08.015 relating to advertising matter distribution - delivery methods, to read as follows:

9.08.015 Advertising Matter Distribution - Delivery Methods:

Declaration of Public Nuisance.

- A. The Council hereby declares that the throwing, depositing or procuring of another to throw or deposit circulars, handbills, pamphlets, advertisements or other written materials by attaching to such materials a bag or bags of stones or other heavy object or objects is a public nuisance because said stones or other similar objects may cause serious injury to persons and/or property when struck, picked-up or propelled by power lawnmowers, edgers, leaf blowers, string trimmers or other lawn and/or garden care equipment or when thrown from moving vehicles and shall therefore be abated pursuant to procedures set forth herein. These procedures for abatement are not exclusive and shall not in any manner limit or restrict the City from enforcing other City ordinances or regulations or abating public nuisances in any other manner provided by law.

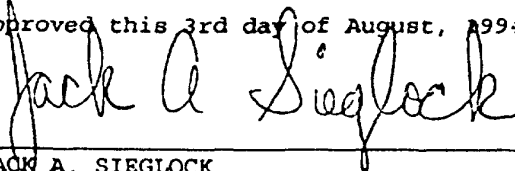
Nuisance Prohibited:

B. It is unlawful and an infraction for any person to throw, deposit or to procure another to throw or deposit a circular, handbill, pamphlet, advertisement or any other written material onto any public or private property when said circular, handbill, pamphlet, advertisement or other written material has attached to it a bag containing stones or other heavy object or objects or otherwise has been rolled, wrapped or packaged with a heavy object or objects enclosed with or affixed onto said circular, handbill, pamphlet, advertisement or other written material.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 3rd day of August, 1994



JACK A. SIEGLOCK
Mayor

Attest:


JENNIFER M. PERRIN
City Clerk

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State of California
County of San Joaquin, ss.


I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1596 was introduced at a regular meeting of the City Council of the City of Lodi held July 20, 1994 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held August 3, 1994 by the following vote:

Ayes:	Council Members - Davenport, Mann, Pennino, Snider and Sieglock (Mayor)
Noes:	Council Members - None
Absent:	Council Members - None
Abstain:	Council Members - None

I further certify that Ordinance No. 1596 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.


JENNIFER M. PERRIN
City Clerk

Approved as to Form


BOBBY W. McNATT
City Attorney